

LAW OFFICES OF
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May 13, 2010

Debra Freeman, U.S. Magistrate Judge
U.S. District Court
500 Pearl St., Room 525
New York, NY 10007-1312
by fax: (212) 805-4258 (total 5 pages)

Re: *Fuller v. Interview, Inc., et al.*, 07-CV-05728 (RJS)(DCF)

Honorable Magistrate Judge Freeman;

This office represents plaintiff in the above-referenced matter. I write in regard to discovery on the above matter and the upcoming conference May 18, 2010. I write to request an extension for discovery in this matter of three months and that we have a conference half way though to check on status. Fact discovery is scheduled to close by June 11, 2010. I have requested defense counsel join in the request, advising that I would be submitting information to Your Honor confidentially regarding my own health. Defense counsel, Mr. Shapiro, is not joining in the application since he believed the Court would not be "amenable" to the request.

First, I attach for Your Honor only, a separate confidential note with a statement of my physician regarding my health condition which is self-explanatory.

Second, discovery with the plaintiff has been slow and painstaking. The plaintiff in this matter has been diagnosed with Post-Traumatic Stress Disorder. This has made tasks for her relating to review of documents and related information regarding the underlying matters excruciatingly difficult and painful. I am advised by her therapist that the plaintiff is uncontrollably tearful when discussing this matter. Tasks related to discovery which would ordinarily take a fraction of time, take the plaintiff inordinate amounts of time, cause her great distress and complications. She has been recommended by her psychotherapist to undergo eye movement desensitization and reprocessing (EMDR), a relatively new method of treatment used by the VA to treat PTSD. However, upon meeting with the EMDR therapist, she was advised that the treatment itself is so upsetting that it was recommended that she go through it at a future planned date. Commonly, undergoing EMDR therapy causes inability to function, work and other interference in daily life.

As an additional note, the parties have been proceeding with discovery in the related arbitration. Various discovery would be overlapping and I believe that if we were to proceed in the arbitration discovery, and to have an extension of federal discovery, we could avoid much duplication.

For the reasons stated, it is respectfully requested that an extension of discovery be granted in the amount of three months.

Thank you for your kind consideration of this matter.

Respectfully yours,

The Law Offices of Alan J. Rich, LLC

A handwritten signature in dark ink, appearing to read 'Alan J. Rich', is written over the typed name.

by: Alan J. Rich

Peter T. Shapiro, Esq., by email w/o encl.

TRANSMISSION VERIFICATION REPORT

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